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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,783	02/27/2004	Donald A. Serino	ALS-018	6129
959	7590	03/02/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			HAMMOND, BRIGGITTE R	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/788,783

Applicant(s)

SERINO, DONALD A.

Examiner

Brigitte R. Hammond

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 1 is objected to because of the following informalities: in line 20 the limitation "the body tab" is recited. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,2,6-12,19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Behning 5,167,522. Behning discloses a modular network connector assembly comprising: a first connector housing 1 for housing a first connector half having a first telescoping body portion; a second connector housing 7 having a second telescoping body portion for engaging with the first telescoping body portion, wherein the second connector housing is configured to house a second connector half for axially mating with the first connector half; an annular collar 11 encircling the telescoping body portions and rotatably held on the second connector housing, a spring 17 inside the collar, the ends of the spring being confined between the second connector housing and the collar so as to yieldingly resist rotation of the collar relative to the second connector housing; and axially opposed tabs 21,22 disposed on the collar and first connector housing with opposed flaring cam surfaces 34 cooperatively producing rotation of the collar relative to the first connector housing as the first and second connector housing are telescoped to a mated contact position, the cam surfaces guiding the collar tab around the body tab; wherein the spring yields as the collar is rotated by the cam tabs during contact mating, and the spring then rotates the collar tab to a latching position axially behind the body tab locking the first and second connector housings in mated contact position.

Regarding claim 2, a first connector half 4 housed in the first connector housing and a second connector half 6 housed in the second connector housing.

Regarding claim 6, the first connector housing includes a retaining system 26,27.

Regarding claim 7, the retaining system 26,27 comprises a first groove 26 for engaging a first protrusion on the first connector half.

Regarding claim 8, the retaining system 26,27 comprises a second groove 27 for engaging a first protrusion on the second connector half.

Regarding claim 9, the second connector housing 7 includes a retaining system 23,24 for releasably retaining the first connector half therein.

Regarding claim 10, the retaining system includes a ridge at 23 formed in a plug-receiving receptacle of the second connector housing for engaging a groove 26 on the second connector half.

Regarding claims 11,12 and 20, further comprising a threaded strain relief (nut, not shown, col. 2 lines 5-8) mated with the threaded portion of the plug housing.

Regarding claim 19, discloses a modular network connector assembly, comprising: a plug housing 7, a plug receptacle 6 formed in a first end of the plug housing for receiving and retaining a plug 4 and a threaded portion on the second end of the plug housing 9.

Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art (AAPA), fig. 1. AAPA discloses a modular network connector assembly, comprising: a plug receptacle 20 sized and configured to receive a plug 30, a ridge 29 formed on an inner surface of the receptacle for engaging with a groove in the plug to removably retain the plug in the receptacle.

Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by. Krojak et al. 4,220,391. Krojak et al discloses a modular network connector assembly,

comprising: A jack housing 40, a first cavity 17 formed in the housing for receiving and retaining a jack 10; a second cavity 12 formed in the housing for receiving a telescoping portion of a plug housing; and a jack retaining system 16 for releasably retaining a jack in the first cavity.

Claims 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Tubbs 4,648,682. Tubbs discloses a modular network connector assembly, comprising: A jack housing 32, a first cavity 36 formed in the housing for receiving and retaining a jack 34; a second cavity 46 formed in the housing for receiving a telescoping portion of a plug housing 72; and a jack retaining system for releasably retaining a jack in the first cavity (fig. 5).

Regarding claim 16, wherein a plug retained in the plug housing mates with a jack mounted in the first cavity when the telescoping plug housing is inserted in the second cavity.

Regarding claims 17 and 18, wherein the jack retaining system comprises first and second grooves formed in the first cavity for engaging first and second protrusions on a jack (fig. 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Behning in view of Bradley et al. 5,240,436. Behning discloses the invention substantially as claimed. Behning does not disclose, the first connector half comprises a RJ-45 jack and the second connector half comprises a RJ-45 plug. However, it would have been obvious to convert the bnc connector of Behning to a RJ-45 jack and RJ-45 plug as taught by Bradley for compatability.

Regarding claim 4, the plug mates with the jack when the first and second connector housings are in the mated contact position.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Behning and Bradley et al. as discussed in claim 3 above, and further in view of AAPA. Neither Behning nor Bradley et al disclose the second connector housing includes a lever disabling groove for disabling a latching lever on the plug when the plug is inserted in the second connector housing. However, AAPA discloses a connector housing including a lever disabling groove 29 for disabling a latching lever 39 on plug 32. It would have been obvious to one of ordinary skill to modify the connector of Behning and Bradley by providing including a lever disabling groove for disabling a latching lever as taught by AAPA.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Behning in view AAPA. Behning discloses the invention substantially as claimed. Behning does not disclose, second connector housing includes a lever disabling groove for disabling a latching lever on the plug. However, AAPA discloses a connector housing including a lever disabling groove 29 for disabling a latching lever 39 on plug

32. It would have been obvious to one of ordinary skill to modify the connector of Behning by providing a lever disabling groove for disabling a latching lever as taught by AAPA.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Payson et al. 6,853,316, Bachman 6,582,248, Thurston 6,776,638.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is 571-272-2006. The examiner can normally be reached on Mon.-Thurs. and Alternate Fridays from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/788,783

Page 8

Art Unit: 2833

A handwritten signature in black ink, reading "Brigitte R. Hammond". The signature is written in a cursive style with a large, stylized 'B' and 'H'.

Brigitte R. Hammond

Examiner

Art Unit 2833

February 21, 2005